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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims are respectfully requested.

Status of Claims

Claims 1-18 are pending in the application.

Claims 1, 3-7, 10, and 14 have been amended.

New claims 17-18 have been added in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that no new matter has been added.

Applicants respectfully assert that the amendments to the claims add no new matter.

Claim Objections

In the Office Action, the Examiner objected to claims 1, 3, 10 and 13 because of alleged informalities. Specifically, the Examiner noted that claims 1, 3, 10, and 13 include the words "printing" and "printed" even though the claims are directed to a display. The Examiner contended the use of such wording renders the claims inconsistent in terminology.

Applicants respectfully assert that claims 1, 3, 10 and 13 are directed to a display device and/or method. The display may be used to perform soft proofing of an image ("the proofed image"), e.g., as described in page 8, line 3 – page 9, line 13. The proofed image may be intended for printing on a substrate using a set of inks.

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Applicants respectfully assert that the words "printing" and "printed", as recited in claims 1, 3, 10, and 13, relate to an intended operation of printing the proofed image on the substrate using the set of inks, which may result in a viewed "hard copy image" corresponding to the proofed image. As recited by independent claims 1 and 10, the proofed image may be reproduced using at least three primary colors, which may be selected to define a viewed color gamut which substantially covers a perceived color gamut of the set of inks when printed on the substrate. The perceived gamut is defined by the elementary colors of the inks as viewed when printed on the substrate (page 9, lines 1-10).

Therefore, Applicants respectfully assert that the use of the words "printing" and "printed" is consistent with the terminology of claims 1, 3, 10, and 13. Accordingly, Applicants respectfully request the Examiner to withdraw the objection of claims 1, 3, 10 and 13.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, 4, 6-11 and 15-16 under 35 U.S.C. § 102(e), as being anticipated by Karakawa (US 6,304,237). Applicants respectfully traverse this rejection in view of the remarks that follow.

As is well established, in order to successfully assert a prima facie case of anticipation, the Examiner must provide a single prior art document that teaches every element and limitation of the claim or claims being rejected.

Each one of amended independent claims 1 and 10 recites, in paraphrase, that the at least three primary colors are selected to define a viewed color gamut which substantially covers a perceived color gamut of the set of inks when printed on the substrate (emphasis added). Applicants respectfully submit that this feature of the invention is not taught or fairly suggested by Karakawa or by any of the other cited references, alone or in combination.

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In view of the above, Applicants respectfully assert that claims 1 and 10, as amended, are not anticipated by the prior art on record. Accordingly, Applicants respectfully request that the rejection of claims 1 and 10 under 35 U.S.C. 102§(e) be withdrawn.

Furthermore, it is respectfully submitted that amended independent claims 1 and 10 are patentable, and thus allowable, over the prior art references on record and any combination thereof. Specifically, it is respectfully asserted that the distinguishing features of independent claims 1 and 10, as discussed above, would not have been obvious at the time the invention was made to a person skilled in the art, in view of Karakawa, alone or in combination with any other cited references, including the Ben-David et al. reference discussed below in connection with claims 2-3, 5, 12-13 and 14.

Each one of claims 4 and 6-9 depends directly from independent claim 1 and incorporates all the elements of this claim.

Each one of claims 11 and 15-16 depends directly from independent claim 10 and incorporates all the elements of this claim.

Therefore, it is respectfully submitted that claims 4, 6-9, 11, and 15-16 are patentable, and thus allowable, at least for the reasons set forth above.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 2-3, 5, 12-13 and 14 under 35 U.S.C. § 103(a), as being unpatentable over Karakawa (US 6,304,237) in view of Ben-David et al. (US 6,870,532).

Applicants respectfully traverse this rejection in view of the remarks that follow.

According to 35 U.S.C § 103(c)(1):

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"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

In accordance with MPEP 706.02(1)(2), Applicants respectfully submit that the current application and the Ben-David et al. reference were, at the time the invention of the current application was made, owned by the same company, namely Genoa Color Technologies Ltd. Accordingly, Applicants respectfully request that the Examiner disqualify the Ben-David et al. reference from being used in a rejection under 35 U.S.C § 103(a) against the claims of the current application.

In addition, it is noted that each one of claims 2-3 and 5 depends directly from independent claim 1 and incorporates all the elements of this claim; and each one of claims 12-13 and 14 depends directly from independent claim 10 and incorporates all the elements of this claim.

Therefore, it is respectfully submitted that claims 2-3, 5, 12-13, and 14 are patentable, and thus allowable, at least for the reasons set forth above.

Remarks to New Claims

New claim 17 recites "wherein said color filtering mechanism is adapted to sequentially place at least three color filters corresponding to said at least three primary colors, respectively, in the path of said polychromatic light". Applicants respectfully assert that no new matter has been added. Specifically, new claim 17 is supported at least by page 12, line 7- page 13 line 8, as originally filed.

New claim 18 recites "wherein said controller controls the path of the light of said at least three primary colors based on image data representing the proofed image in terms of said at least three primary colors". Applicants respectfully assert that no new matter has been added. Specifically, new claim 18 is supported at least by page 12, line 22 – page 13 line 22, as originally filed.

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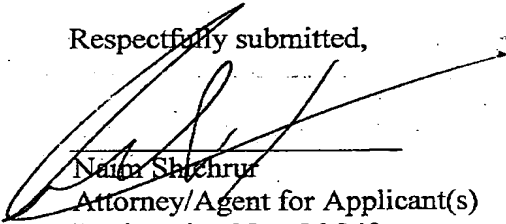
New claims 17 and 21 depend, directly or indirectly, from independent claim 1 and incorporate all the elements of this claim. Therefore, it is respectfully submitted that new claims 17-18 are patentable, and thus allowable, at least for the reasons set forth above.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance are respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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